

POLICIES AND PROCEDURES

Fitness to Study Policy and Procedure



Policy Title	FITNESS TO STUDY POLICY AND PROCEDURE
Policy No	WLCBMS 041
Responsible	DEAN OF TEACHING
Approval By	ACADEMIC COMMITTEE
Approval Date	AUGUST 2017
Next Review	AUGUST 2018

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Fitness to Study Policy and Procedure

1. PRINCIPLES

What is fitness to study?

Fitness to study relates to an individual's capacity to participate fully and satisfactorily as a student, in relation to academic studies and life generally at WLCBMS. The College is committed to supporting student wellbeing and recognises that a positive approach to the management of physical and mental health is crucial to student learning and academic achievement.

2. PURPOSE AND SCOPE

The purpose of this policy is to provide a suitable and co-ordinated response by academic and support staff in circumstances where:

- The situation is deemed to be urgent; and
- other internal procedures such as the progress rules or the Student Disciplinary Regulations are not appropriate; and
- all other avenues within departments have been exhausted.

This policy does not relate to fitness to practise – certain professional programmes have fitness to practise procedures which operate outside the scope of this policy.

3. CONTEXT

When to use this policy.

This policy should be used when a student's fitness to study is a cause for concern and all other procedures or options have been considered or exhausted. A student's fitness to study may be a cause for concern as a result of a wide range of circumstances, including (but not restricted to) the following:

- Behaviour which would usually be dealt with as a disciplinary matter, which may be known to be or suspected to be the result of an underlying physical or mental health difficulty.
- A student's health difficulties are adversely affecting the health, safety or wellbeing of themselves or others.
- The student's academic performance or personal conduct is not acceptable and may be known to be or suspected to be the result of an underlying physical or mental health problem.

4. RESPONSIBILITIES

The Fitness to Study Policy and Procedure is the responsibility of the Dean of Teaching who reports through the Academic Committee on matters concerning a student's fitness to study

5. INFORMAL PROCEDURE

Action within departments

It is expected that department head will approach students once concerns regarding fitness to study have been raised and attempt to resolve the matter by informal discussions with the student. The student should be encouraged to use one or more of the support services offered by the College.

Specific academic arrangements should be considered and action plans agreed with the student, which are regularly reviewed.

The majority of cases can be resolved this way.

6. FORMAL PROCEDURE

6.1. Stage 1 – Case Review

The Fitness to Study policy can be invoked when all informal avenues have been unsuccessful, the other procedures available such as the progress rules and the Student Disciplinary Regulations have been considered and deemed to be inappropriate and the student is not engaging and action plans have not been met.

A meeting of a Case Review Panel can be convened by the Head of Department, who will act as chair of the Panel, usually made up of the following:

- An academic representative from the student's department
- The Dean of Teaching
- The Student Liaison Officer
- A representative from the Administration Department

Before the Case Review Panel meeting medical assessment may be sought, usually from the student's GP or medical practitioner. The student will be encouraged to consent to the assessment. The student will be able to submit documents for the Panel to consider and will be given a copy of any documents seen by the Panel. The student may request to attend all or part of the Case Review Panel meeting. The Panel will make a reasoned decision regarding whether the student should attend. If the student does attend, they will have the right to bring a friend or representative to the meeting.

A letter will be sent to the student after the meeting setting out any decision made and the reasons for the decision.

The Panel will order its proceedings as it sees fit and may call witnesses if necessary.

The outcome agreed by the Panel will normally be an outcome not already attempted as part of the informal action taken by the Department. The outcomes available to the Panel are:

- No further action required
- To monitor the student formally for a specific period of time. An action plan will be agreed with the student detailing any steps the student will need to take and the support to be provided to the student. This action plan will normally detail different actions to any plan previously agreed as part of the informal action taken by the school or faculty. Regular review meetings will be arranged with the student and a nominated member of staff. The student should be made aware of what will happen if the action plan is breached, which will normally involve their case moving to stage 2.
- To recommend a specific academic arrangement be put in place which may include a suspension of studies. Such recommendations should be agreed by the student's Department where appropriate (normally the representatives on the Panel) and the student. If the student does not agree, the case will move on to stage 2.
- To refer the case to a Fitness to Study Panel, under stage 2 of this procedure. This will be appropriate in serious cases, for example where there is evidence of a serious risk to the health and safety of the student or others in the College community. This course of action would be used when it is considered that suspension, temporary exclusion, permanent exclusion or withdrawal may be the appropriate course of action or if the student has not agreed to a recommendation or action plan made under stage 1.

6.2. Stage 2 – Fitness to Study Panel

This stage will only be invoked in the following circumstances:

Following a referral from a Case Review Panel; or If the student does not agree or is not engaging with a recommendation of a Case Review Panel; or

If in the opinion of the Deputy Principal the case is sufficiently serious and urgent to warrant an immediate referral without consideration of stage 1.

The Deputy Principal can convene a Fitness to Study Panel to consider the case and will act as clerk to the Panel.

The Dean of Teaching will usually assign the following Members to the Panel:

- A senior management nominee
- A senior academic representative of the student's Department
- A student representative

As with the Case Review Panel the student will have the opportunity to submit documents for the Panel to consider and will be sent a copy of any documents seen by the Panel. A quorum of at least 3 members must be present for any decision to be made.

The student may ask for a Student Adviser to attend the meeting on their behalf but will not normally be permitted to attend in person.

The Panel may order the proceedings at its discretion and may call witnesses if required. The Panel may request further medical evidence.

The Panel will make a recommendation to the Principal. Possible recommendations may include:

- A short term exclusion to allow the student to be assessed by a medical professional, access support services both within and outside the College or for the College to obtain further information. The exclusion will be reviewed within four weeks as set out below in relation to emergency temporary exclusion.
- Suspension with conditions for a period up to twelve months. A student who is suspended from the College may be prohibited from participating in College activities and may also be prohibited from entering the College premises or have restricted rights to enter the premises. The terms of the suspension will be notified to the student in writing, depending on the circumstances of the case. The decision to suspend a student shall be reviewed as necessary by the Panel.
- Exclusion or requirement to withdraw - if the Panel concludes, taking into account the individual circumstances of the case and any supporting medical
- evidence, that there is no reasonable prospect of the student re-engaging with their programme a recommendation will be made to the Principal that the
- student is permanently excluded or required to withdraw. This recommendation should only be made in the most serious cases.
- Any other action considered to be appropriate and proportionate.

7. TEMPORARY EXCLUSION

The Dean of Teaching may refer the case straight to the Principal if it is considered that the risk to the student or the college is very high and an immediate temporary exclusion is the most appropriate course of action.

The Principal may impose a temporary exclusion with immediate effect pending the invoking of this policy. A student who is subject to a temporary exclusion order is prohibited from entering College premises and from participating in College activities.

The exclusion may, exceptionally, be subject to qualification, such as the permission to take an examination or to enter College premises to attend a meeting with a support service, such as the Student Counselling Service or the Students' Health Service. The terms of exclusion will be individual to each case and will be notified to the student in writing. An exclusion order does not affect the student's status as a member of the College.

The decision to exclude will normally be reviewed after four weeks at the request of the student. The review may include a recommendation that a "Fitness to Study Panel" be convened to consider the case.

8. RETURN TO STUDY

The Case Review Panel or Fitness to Study Panel that made the recommendation regarding a suspension or temporary exclusion, or as many members of the original Panel as possible, will be reconvened to consider whether the student is fit to return to study.

Further medical evidence will be requested from the student which considers their ability to fully engage with their studies and meet the requirements of the programme. A student will only be permitted to return if, after receiving the medical evidence, the Panel is satisfied that the individual is fit to study.

If a student agreed to suspend studies under stage 1, the Case Review Panel that originally considered the matter can make the decision regarding a return to studies without referral to the Principal if it is satisfied that the student is fit to return.

If the Principal made the decision to suspend or temporarily exclude under stage 2 of the recommendation of the Fitness to Study Panel, the Panel should reconvene to consider whether the student is fit to return to study and make a recommendation to the Principal. The Principal will make the final decision in light of the Panel's recommendation.

Where a student returns to study after a temporary exclusion/suspension under this policy the relevant panel will consider any support that the student may require to support a return to studies, such as regular review meetings or a return to study action plan. The general expectation is that the student will take personal responsibility for fully engaging with this support.

9. RIGHT OF APPEAL

The student may appeal against a suspension or requirement to withdraw. A letter setting out the grounds of appeal should be addressed to the College Academic Registrar, to be received within 21 days of the date on which the order for suspension or the requirement to withdraw was made. The student is encouraged to seek assistance from the Students' Advice Service when preparing the letter of appeal.

The appeal will be heard by an Appeals Committee. The membership and procedure of an Appeals Committee will be the same as that set out under the Student Complaints Policy and Procedure.

10. RELATED DOCUMENTS

10.1 Student Complaints Policy and Procedures (WLCBMS 018)

11. APPENDICIES

11.1 Fitness to Study Case Review Panel – Terms of Reference

11.1

TERMS OF REFERENCE – FITNESS TO STUDY CASE REVIEW PANEL

- to hear the case of any individual where the College/Department is satisfied that a student is deemed to be incapable of studying at the College
- to provide an opportunity to any individual to appeal against a final decision of either the Disciplinary Panel or Academic Committee regarding a student's ability to either continue to study or be accepted on a course of study
- to monitor the outcomes of individual cases.
- to report on trends and issues, including any need for policy change arising from an individual case or cases.
- to keep under review the above procedures, and from time to time to make recommendations on improvements.